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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/791,802	03/04/2004	Hiroyuki Tomimori	Q80201	5231
23373 7590 07/02/2007 SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			EXAMINER DISTEFANO, GREGORY A	
			ART UNIT 2176	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/791,802

Applicant(s)

TOMIMORI, HIROYUKI

Examiner

Gregory A. DiStefano

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This communication is in response to applicant's amendments filed on 4/30/2007.
2. As per applicant's amendments, claims 1-7 remain unchanged and claims 8-13 have been added to the application.

Priority

3. The examiner notes that a certified priority document has been received and withdraws the objection to applicant's claim of priority under 35 U.S.C. 119.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 2, 5, 6, 8-10, 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ishigaki (US 2001/0018353).
5. (original) As per claims 1 and 5, Ishigaki teaches the following:
a communication control unit being connected to an internet communication network to feed and receive information. As Ishigaki teaches on pages 1 and 2,

paragraph [0016], a portable telephone may have a controller 20 which handles the communications between the network and display. That is, the controller of the cellular phone enables sending and receiving of information via the Internet;

a browser processing unit to acquire a file being stored in a server over said internet communication network connected through said communication control unit, (pg. 1, paragraph [0001]), i.e. the non-voice information communications mode is the operation mode for online data service using digital portable telephones, wherein a service to connect to sites (programs) registered in a center, an internet connection service, a message service, and e-mail service are available;

a sort key storing unit in which sort keys are stored, (pg. 2, paragraph [0025]), i.e. the bookmark list display control program sorts or rearranges the bookmark-registered sites according to the latest access date and time stored in a predetermined area of the memory 26 that stores the sites;

a bookmark storing unit in which a bookmark recording a URL (Uniform Resource Locator) of a server over said internet communication network is stored, (pg. 2, paragraph [0025]), i.e. the bookmark list display control program sorts or rearranges the bookmark-registered sites according to the latest access date and time stored in a predetermined area of the memory 26 that stores the sites;

a situation information acquiring unit to acquire situation information showing a state occurring when said browser processing unit has obtained a file through said internet communication network, (pg. 2, paragraph [0025]), i.e. the bookmark list display control program sorts or rearranges the bookmark-registered sites according to the

latest access date and time stored in a predetermined area of the memory 26 that stores the sites. Thus, in order for Ishigaki's method to have stored the date and time of the latest access of a particular bookmark, the system comprises a means to acquire the date and time it was accessed;

a bookmark managing unit to record a URL of a server storing a file that said browser processing unit has obtained through said internet communication network in a bookmark being stored in said bookmark storing unit in a manner that situation information that said situation information acquiring unit has acquired is annexed to said URL, (pg. 2, paragraph [0025]), i.e. the bookmark list display control program sorts or rearranges the bookmark-registered sites according to the latest access date and time stored in a predetermined area of the memory 26 that stores the sites, (pg. 2, paragraph [0026]), i.e. in case the target site or URL is absent in step 52, the user selects the Bookmark input mode and enters a new site or URL (step 54). Then, the user stores the new site or URL in the Bookmark storage area. The examiner finds that this teaching encompasses applicant's claim in that when a URL is stored in the storage area, a latest access time is stored with it;

a bookmark sorting unit to sort URLs being recorded in a bookmark stored in said bookmark storing unit depending on a use situation, (pg. 2, paragraph [0025]), i.e. the bookmark list display control program sorts or rearranges the bookmark-registered sites according to the latest access date and time stored in a predetermined area of the memory 26 that stores the sites;

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a displaying unit to display URLs sorted by said bookmark sorting unit, (abstract), i.e. the bookmark list display control program rearranges and reads the sites in the Bookmark storage area in reverse chronological order of access to sites, then displays the Bookmark list (step 51).

6. Regarding claims (original) 2, (original) 6 and (new) 12, Ishigaki teaches the method of claims 1 and 5 as described above and claim 10 as described bellow.

Ishigaki further teaches the following:

when a number of pieces of situation information annexed to URLs being recorded in said bookmark stored in said bookmark storing unit reaches a preset number (e.g. memory full), replaces oldest situation information with new situation information, (abstract), i.e. the user stores the new site or URL in the Bookmark storage area, or in case the memory of the area is insufficient, the user overwrites an old Bookmark site with this new site (step 55). The examiner would like to further note that as described above under claim 1, the situation information (latest access) is stored with the bookmark, therefore, when an old bookmark is overwritten, the latest access time would be overwritten as well with the latest access time of the new URL being stored.

7. (new) As per claim 8, Ishigaki teaches the following:

a sort key unit in which at least one sort key is stored, (pg. 2, paragraph [0025]), i.e. the bookmark list display control program sorts or rearranges the bookmark-

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registered sites according to the latest access date and time stored in a predetermined area of the memory 26 that stores the sites;

a situational information acquiring unit to acquire situation information, (pg. 2, paragraph [0025]), i.e. the bookmark list display control program sorts or rearranges the bookmark-registered sites according to the latest access date and time stored in a predetermined area of the memory 26 that stores the sites;

a bookmark sorting unit to automatically sort URLs, depending upon situation information acquired by said situation information acquiring unit and type of sort key stored in the said sort key unit, (pg. 2, paragraph [0025]), i.e. the bookmark list display control program sorts or rearranges the bookmark-registered sites according to the latest access date and time stored in a predetermined area of the memory 26 that stores the sites.

8. (new) Regarding claim 9, Ishigaki teaches the method of claim 8 as described above. Ishigaki further teaches the following:

a communication control unit connected to an internet communication network to transmit and receive information. As Ishigaki teaches on pages 1 and 2, paragraph [0016], a portable telephone may have a controller 20 which handles the communications between the network and display;

a browser processing unit to acquire a file being stored in a server over said internet communication network connected through said communication control unit, (pg. 1, paragraph [0001]), i.e. the non-voice information communications mode is the

operation mode for online data service using digital portable telephones, wherein a service to connect to sites (programs) registered in a center, an internet connection service, a message service, and e-mail service are available.

9. (new) Regarding claim 10, Ishigaki teaches the method of claim 8 as described above. Ishigaki further teaches the following:

a bookmark storing unit to store URLs, (pg. 2, paragraph [0025]), i.e. the bookmark list display control program sorts or rearranges the bookmark-registered sites according to the latest access date and time stored in a predetermined area of the memory 26 that stores the sites;

a bookmark managing unit to annex URLs with situation information acquired from said situation information acquiring unit and record the annexed URLs in said bookmark storing unit, (pg. 2, paragraph [0025]), i.e. the bookmark list display control program sorts or rearranges the bookmark-registered sites according to the latest access date and time stored in a predetermined area of the memory 26 that stores the sites, (pg. 2, paragraph [0026]), i.e. in case the target site or URL is absent in step 52, the user selects the Bookmark input mode and enters a new site or URL (step 54). Then, the user stores the new site or URL in the Bookmark storage area;

a display unit to display URLs sorted by said bookmark sorting unit, (abstract), i.e. the bookmark list display control program rearranges and reads the sites in the Bookmark storage area in reverse chronological order of access to sites, then displays the Bookmark list (step 51).

10. (new) Regarding claim 13, Ishigaki teaches the method of claim 10 as described above. Ishigaki further teaches the following:

wherein said bookmark managing unit overwrites and renews situation information of a URL, when corresponding URL displayed on said displaying unit is selected, (abstract), i.e. the bookmark list display control program rearranges and reads the sites in the Bookmark storage area in reverse chronological order of access to sites, then displays the Bookmark list(step 51). The examiner find that in order for the method of Ishigaki to display bookmarks in order of their most recent time of access, the system must store the latest time of access.

11. Claims 3, 4, 7 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ishigaki as applied to claims 1, 5 and 8 as described above, in view of Werner (US 2002/0198898).

12. Regarding claims (original) 3, (original) 7 and (new) 11, Ishigaki teaches the method of claims 1, 5 and 8 as described above. Ishigaki further teaches the following:

a time information acquiring unit to acquire information about time when said browser processing unit has obtained a file through said internet communication network, (pg. 2, paragraph [0025]), i.e. the bookmark list display control program sorts or rearranges the bookmark-registered sites according to the latest access date and time stored in a predetermined area of the memory 26 that stores the sites;

However, Ishigaki does not teach a method of acquiring position information.

Werner teaches the following:

a position information acquiring unit to acquire information about a position of said portable terminal device, (abstract), a location-aware product includes a location information resource for providing the present location of the location-aware product to within some margin of error;

wherein situation information that said situation information acquiring unit acquires contains position information (e.g. lat. & long.) that said position information acquiring unit has obtained and information about time (e.g. time, date and time zone) that said time information acquiring unit has obtained, (pg. 6-7, paragraph [0056]), i.e. the first file shown in Fig. 15 is "C file" 1502 and was last modified Aug. 1, 2001, at 10:00 AM Eastern Daylight Time, at latitude N 45:46.736' and longitude W 84:43.856'.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the bookmark time sorting method of Ishigaki with the location stamping method of Werner. One skilled in the art would have been motivated to make such modifications because both Ishigaki and Werner discuss methods of sorting files (see Werner, Fig. 15) in mobile devices (see Werner, pg. 2 paragraph [0030]) based on a time the file was last accessed. One skilled in the art would have found such modifications to be beneficial because a user of the modified system would have then been able to have sorted bookmarks according to the location they were accessed at (Werner, pg. 3, paragraph [0035]).

13. (original) As per claim 4, Ishigaki teaches the following:

a communication control unit being connected to an internet communication network to feed and receive information. As Ishigaki teaches on pages 1 and 2, paragraph [0016], a portable telephone may have a controller 20 which handles the communications between the network and display;

a browser processing unit to acquire a file being stored in a server over said internet communication network connected through said communication control unit; a sort key storing unit in which sort keys are stored, (pg. 1, paragraph [0001]), i.e. the non-voice information communications mode is the operation mode for online data service using digital portable telephones, wherein a service to connect to sites (programs) registered in a center, an internet connection service, a message service, and e-mail service are available;

a bookmark storing unit in which a bookmark recording a URL (Uniform Resource Locator) of a server over said internet communication network is stored, (pg. 2, paragraph [0025]), i.e. the bookmark list display control program sorts or rearranges the bookmark-registered sites according to the latest access date and time stored in a predetermined area of the memory 26 that stores the sites;

a time information acquiring unit to acquire information about time when said browser processing unit has obtained a file through said internet communication network, (pg. 2, paragraph [0025]), i.e. the bookmark list display control program sorts or rearranges the bookmark-registered sites according to the latest access date and time stored in a predetermined area of the memory 26 that stores the sites;

a situation information acquiring unit to acquire situation information showing a state occurring when said browser processing unit has obtained a file through said internet communication network, (pg. 2, paragraph [0025]), i.e. the bookmark list display control program sorts or rearranges the bookmark-registered sites according to the latest access date and time stored in a predetermined area of the memory 26 that stores the sites. The examiner that, in order for Ishigaki's method to have stored the date and time of the latest access of a particular bookmark, the system must comprise a means to acquire the date and time it was accessed;

a bookmark managing unit to record a URL of a server storing a file that said browser processing unit has obtained through said internet communication network in a bookmark being stored in said bookmark storing unit in a manner that situation information that said situation information acquiring unit has acquired is annexed to said URL, (pg. 2, paragraph [0025]), i.e. the bookmark list display control program sorts or rearranges the bookmark-registered sites according to the latest access date and time stored in a predetermined area of the memory 26 that stores the sites, (pg. 2, paragraph [0026]), i.e. in case the target site or URL is absent in step 52, the user selects the Bookmark input mode and enters a new site or URL (step 54). Then, the user stores the new site or URL in the Bookmark storage area;

a bookmark sorting unit to sort URLs being recorded in a bookmark stored in said bookmark storing unit depending on a use situation, (pg. 2, paragraph [0025]), i.e. the bookmark list display control program sorts or rearranges the bookmark-registered sites

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according to the latest access date and time stored in a predetermined area of the memory 26 that stores the sites;

a displaying unit to display URLs sorted by said bookmark sorting unit, (abstract), i.e. the bookmark list display control program rearranges and reads the sites in the Bookmark storage area in reverse chronological order of access to sites, then displays the Bookmark list (step 51);

wherein said bookmark managing unit, when a number of pieces of situation information annexed to URLs being recorded in said bookmark stored in said bookmark storing unit reaches a preset number, replaces oldest situation information with new situation information, (abstract), i.e. the user stores the new site or URL in the Bookmark storage area, or in case the memory of the area is insufficient, the user overwrites an old Bookmark site with this new site (step 55);

However, Ishigaki does not teach a method of acquiring position information. Werner teaches the following:

a position information acquiring unit to acquire information about a position of said portable terminal device, (abstract), a location-aware product includes a location information resource for providing the present location of the location-aware product to within some margin of error;

wherein situation information that said situation information acquiring unit acquires contains position information that said position information acquiring unit has obtained and information about time that said time information acquiring unit has obtained, (pg. 6-7, paragraph [0056]), i.e. the first file shown in Fig. 15 is "C file" 1502

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and was last modified Aug. 1, 2001, at 10:00 AM Eastern Daylight Time, at latitude N 45:46.736' and longitude W 84:43.856'.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the bookmark time sorting method of Ishigaki with the location stamping method of Werner. One skilled in the art would have been motivated to make such modifications because both Ishigaki and Werner discuss methods of sorting files (see Werner, Fig. 15) in mobile devices (see Werner, pg. 2 paragraph [0030]) based on a time the file was last accessed. One skilled in the art would have found such modifications to be beneficial because a user of the modified system would have then been able to have sorted bookmarks according to the location they were accessed at (Werner, pg. 3, paragraph [0035]).

Response to Arguments

14. Applicant's arguments with respect to claims 1-13 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Burke (US 6,032,162), System for processing and storing internet bookmark address links.

Aiken et al. (US 6,757,675), Method and apparatus for indexing document content and content comparison with world wide web search service.

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Inoue et al. (US 6,874,017), Scheme for information delivery to mobile computers using cache servers.

Beadle et al. (US 7,167,901), Method and apparatus for improved bookmark and histories entry creation and access.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory A. DiStefano whose telephone number is (571)270-1644. The examiner can normally be reached on 7:30am-5:00pm Mon.-Thurs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on (571)272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

GAD
6/13/2007


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